


CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

NOV 26 2013

JULIA S. DUDLEY, CLERK
BY:  DEPUTY CLERK

MAXTENA, INC.,

Plaintiff,

v.

JEREMY MARKS,

Defendant.

Civil Action No. 8:11-cv-00945-DKC*

* Action is pending in the U.S. District
Court of the District of Maryland

Case No. 7:13mc77

**PLAINTIFF MAXTENA, INC.'S MOTION FOR ENLARGEMENT OF TIME TO FILE
MOTION TO QUASH SUBPOENA DUCES TECUM TO ELISABETH CHAVES**

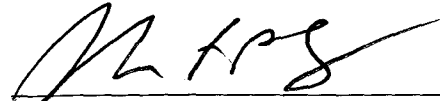
Comes now Maxtena, Inc. ("Maxtena"), by counsel, and moves this Honorable Court to enlarge the time by which Maxtena may move to quash a subpoena served upon Elisabeth Chaves in this matter. In support thereof, Maxtena respectfully directs the Court's attention to the Memorandum of Points and Authorities filed herewith, which is also incorporated by reference herein.

WHEREFORE, for the reasons set forth in the Memorandum of Points and Authorities filed in support hereof, Maxtena, Inc. moves this Honorable Court for an Order enlarging the time for Maxtena to file a motion to quash the *subpoena duces tecum* served on Elisabeth Chaves until 5 business days after the United States District Court for the District of Maryland issues a controlling Order addressing the merits of the dispute. In all cases, Maxtena moves for such other and further relief as justice may require.

Respectfully submitted,

MAXTENA, INC.

By Counsel



Joshua F. P. Long (VSB #65684)

WOODS ROGERS PLC

P. O. Box 14125

Roanoke, VA 24038-4125

Phone: (540) 983-7725 phone

Fax: (540)983-7711

jlong@woodsrogers.com

Timothy J. McEvoy, Esq.

Sean Patrick Roche, Esq.

CAMERON MCEVOY, PLLC

11325 Random Hills Road, Suite 200

Fairfax, Virginia 22030

(703) 273-8898 (Main)

(703) 273-8897 (Facsimile)

tmcevoy@cameronmcevoy.com

sroche@cameronmcevoy.com

msorensen@cameronmcevoy.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

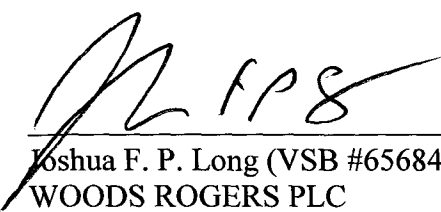
I hereby certify that on this 26th day of November, 2013, I have served a true and correct copy of the foregoing via United States first class mail to the following counsel:

Todd A. Leeson, Esquire
Gentry Locke Rakes & Moore LLP
10 Franklin Road S.E., Suite 800
Roanoke, VA 24011
Leeson@gentrylocke.com
Counsel for Elisabeth Chaves

Keith Finch, Esquire
The Creekmore Law Firm, PC
318 North Main Street
Blacksburg, VA 24060
keith@creekmorelaw.com
Counsel for Defendant

Steven J. Lewicky, Esquire
Davis, Agnor, Rapaport & Skalny, LLC
10211 Wincopin Circle, Suite 600
Columbia, Maryland 21044
slewicky@darslaw.com
Counsel for Defendant

John Da Grosa Smith, Esquire
Matthew A. Horvath, Esquire
Smith Horvath LLC
1320 Ellsworth Industrial Blvd.
Suite A1000
Atlanta, GA 30318
jdsmith@smithhorvath.com
mhorvath@smithhorvath.com
Counsel for Defendant



Joshua F. P. Long (VSB #65684)
WOODS ROGERS PLC
P. O. Box 14125
Roanoke, VA 24038-4125
Phone: (540) 983-7725 phone
Fax: (540)983-7711
jlong@woodsrogers.com

Timothy J. McEvoy, Esq.
Sean Patrick Roche, Esq.
CAMERON MCEVOY, PLLC
11325 Random Hills Road, Suite 200
Fairfax, Virginia 22030
(703) 273-8898 (Main)
(703) 273-8897 (Facsimile)
tmcevoy@cameronmcevoy.com
sroche@cameronmcevoy.com
msorensen@cameronmcevoy.com

Counsel for Plaintiff